

AMENDED IN ASSEMBLY APRIL 21, 2015

AMENDED IN ASSEMBLY MARCH 26, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

## ASSEMBLY BILL

**No. 1182**

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**Introduced by Assembly Member Santiago**  
**(~~Coauthor:~~ Coauthors: Assembly Member Members Bonta and**  
**Cooley)**  
(Coauthor: Senator Pan)

February 27, 2015

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An act to amend Section 21627 of the Business and Professions Code, relating to secondhand goods.

### LEGISLATIVE COUNSEL’S DIGEST

AB 1182, as amended, Santiago. Secondhand goods: tangible personal property.

Existing law requires secondhand dealers and coin dealers to, among other things, report certain secondhand tangible personal property taken in trade or pawn, accepted for sale on consignment, or accepted for auctioning, to the chief of police or to the sheriff, as specified. Existing law defines “tangible personal property” for those purposes as including secondhand tangible personal property that bears or bears evidence of having had a serial number or personalized initials and new or used tangible personal property that is received as security for a loan by a pawnbroker or is commonly sold by secondhand dealers and part of a significant class of stolen goods. *Existing law requires the Attorney General to supply to local law enforcement agencies and periodically update a list of that personal property commonly sold by secondhand dealers and part of a significant class of stolen goods.*

This bill *would require the Attorney General to update that list annually and post the list on his or her Internet Web site. The bill would* instead specify that “tangible personal property” means secondhand tangible personal property that bears or bears evidence of having had a serial number or personalized initials and new or used tangible personal property that is received as security for a loan by a pawnbroker or is commonly sold by secondhand dealers and part of a significant class of stolen goods.

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 21627 of the Business and Professions  
2     Code is amended to read:  
3     21627. (a) As used in this article, “tangible personal property”  
4     means all secondhand tangible personal property which bears a  
5     serial number or personalized initials or inscription or which, at  
6     the time it is acquired by the secondhand dealer, bears evidence  
7     of having had a serial number or personalized initials or inscription.  
8     (b) “Tangible personal property” also means the following:  
9     (1) All tangible personal property, new or used, including motor  
10    vehicles, received in pledge as security for a loan by a pawnbroker.  
11    (2) All tangible personal property that bears a serial number or  
12    personalized initials or inscription which is purchased by a  
13    secondhand dealer or a pawnbroker or which, at the time of such  
14    purchase, bears evidence of having had a serial number or  
15    personalized initials or inscription.  
16    (3) All personal property commonly sold by secondhand dealers  
17    which statistically is found through crime reports to the Attorney  
18    General to constitute a significant class of stolen goods. A list of  
19    such personal property shall be supplied by the Attorney General  
20    to all local law enforcement ~~agencies~~: *agencies and posted on the*  
21    *Attorney General’s Internet Web site.* Such list shall be ~~reviewed~~  
22    ~~periodically updated annually~~ by the Attorney General to insure  
23    that it addresses current problems with stolen goods.  
24    (c) As used in this article, “tangible personal property” does not  
25    include any new goods or merchandise purchased from a bona fide  
26    manufacturer or distributor or wholesaler of such new goods or  
27    merchandise by a secondhand dealer. For the purposes of this

1 article, however, a secondhand dealer shall retain for one year  
2 from the date of purchase, and shall make available for inspection  
3 by any law enforcement officer, any receipt, invoice, bill of sale  
4 or other evidence of purchase of such new goods or merchandise.

5 (d) As used in this article, “tangible personal property” does  
6 not include coins, monetized bullion, or commercial grade ingots  
7 of gold, silver, or other precious metals. “Commercial grade ingots”  
8 means 0.99 fine or finer ingots of gold, silver, palladium, or  
9 platinum, or 0.925 fine sterling silver art bars and medallions,  
10 provided that the ingots, art bars, and medallions are marked by  
11 the refiner or fabricator as to their assay fineness.